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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,645	01/18/2002	Guy J. Labelle	38488.0200	8725
20322	7590	06/07/2006	EXAMINER	
SNELL & WILMER ONE ARIZONA CENTER 400 EAST VAN BUREN PHOENIX, AZ 85004-2202			COBANOGLU, DILEK B	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/051,645	LABELLE ET AL.	
	Examiner	Art Unit	
	Dilek B. Cobanoglu	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/14/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the amendment filed 07/05/2005. Claims 1-34 are amended, claims 35-40 are newly added. Claims 1-40 are all pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 6-7, 10-16 and 19-27 and 29-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over information available from the web site of InsureMarket (hereinafter InsureMarket) in view of Shavit et al. (hereinafter Shavit) (U.S. Patent No. 4,799,156), Hele et al. (hereinafter Hele) (U.S. Patent Publication No.2002/0111835), information available at the web site of amexinsurance (hereinafter Amexinsurance), and information available at the web site of Progressive.

A. Claim 1 has been amended to now recite a network-based method for facilitating the dispensing of insurance providing coverage in a country other than the one in which the customer resides comprising:

- i. contracting with an agent to sell, via an agent website, insurance policies from the plurality of insurance companies in accordance with the policy information.

InsureMarket fails to explicitly disclose "an agent and an agent website" per se, since it appears that InsureMarket is more directed to receive and compare real-time quotes, obtain information, connect with agents, and purchase policies from the nation's leading insurance carriers (Insuremarket (or Quicken Insurance) home page). However, this feature is well known in the art, as evidenced by Shavit.

In particular, Shavit discloses an agent and an agent website, which sell insurance policies from the plurality of insurance companies in accordance with the policy information (Shavit; col. 5, line 66 to col. 6, line 18, col. 7, lines 6-9 and Fig.7).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Shavit with the motivation of providing customers with more convenient and more efficient ways to purchase goods (Shavit; co. 6, lines 19-23).

- ii. receiving customer data from at least one of the agent website and an agent representative via a network, the data including at least identification of the desired type of insurance and parameters.

InsureMarket fails to explicitly disclose "receiving customer data from at least one of the agent website and an agent representative" per se, since it appears that InsureMarket is more directed to

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receive information from the customer (Insuremarket (or Quicken Insurance) home page). However, this feature is well known in the art, as evidenced by Shavit.

In particular, Shavit discloses "receiving customer data from at least one of the agent website and an agent representative via a network, the data including at least identification of the desired type of insurance and parameters" (Shavit; col. 10, lines 33-44).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Shavit with the motivation of the system to assure that the selected function is open to the user (Shavit; col. 10, lines 36-39).

- iii. calculating insurance rates for insurance policies from a plurality of competing insurance companies.

InsureMarket fails to explicitly disclose "calculating insurance rates for insurance policies from a plurality of competing insurance companies" per se, since it appears that InsureMarket is more directed to receive and compare real-time quotes (Insuremarket (or Quicken Insurance) home page). However, this feature is well known in the art, as evidenced by Progressive.

In particular, Progressive discloses “calculating insurance rates for insurance policies from a plurality of competing insurance companies” (Progressive home page/Get Insurance).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Progressive with the motivation of it's being instant and easy (Progressive home page/Get Insurance).

- v. providing to the customer via a network, the insurance rates for the insurance policies from the plurality of competing insurance companies (Insuremarket (or Quicken Insurance) home page).

InsureMarket fails to explicitly disclose “the insurance policies providing coverage in a country other than the one in which the customer resides” per se, since it appears that

InsureMarket/Netquote is more directed to provide insurance products and services in the country. However, this feature is well known in the art, as evidenced by Amexinsurance.

In particular, Amexinsurance discloses providing coverage in the country other than the one in which the customer resides (i.e. insurance programs for US residents travel to Mexico and Mexican residents travel to the US) (Amexinsurance home page).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as

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disclosed by Amexinsurance within Insuremarket for the motivation of providing fast and friendly insurance services with low prices (Amexinsurance home page).

- vi. receiving from the customer via the network instructions to purchase an insurance policy (i.e. purchase policies) (InsureMarket Home page).

InsureMarket fails to expressly teach “receiving customer financial transaction account information to facilitate payment” and “facilitating authorization of the customer financial transaction account information without involvement by the agent or the plurality of insurance companies” per se, since it appears that InsureMarket is more directed to receive and compare real-time quotes, obtain information, connect with agents, and purchase policies from the nation's leading insurance carriers. However, this feature is well known in the art, as evidenced by Shavit.

In particular, Shavit discloses receiving customer financial transaction account information to facilitate payment and facilitating authorization of the customer financial transaction account information without involvement by the agent or the plurality of insurance companies (Shavit; col. 8, line 55 to col. 9, line 6, col. 26, lines 50-57 and Fig. 15).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Shavit within Insuremarket for the motivation of handle the financial outcome of the various transactions (Shavit; col. 8, lines 34-37).

- vii. Facilitating the electronic creation and distribution of proof of coverage to the location of the customer;

InsureMarket fails to expressly teach “facilitating the electronic creation and distribution of proof of coverage to the location of the customer” per se, since it appears that InsureMarket is more directed to receive and compare real-time quotes, obtain information, connect with agents, and purchase policies from the nation's leading insurance carriers. However, this feature is well known in the art, as evidenced by Hele.

In particular, Hele discloses facilitating the electronic creation and distribution of proof of coverage to the location of the customer (Hele; par. 0049,0052, 0053, 0112 and 0132).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Hele within Insuremarket for the motivation of entering all the information into the computer system, which can be saved and revisited (Hele; par. 0112).

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B. As per claim 15, 23 and 26 the claims are substantially similar in scope to claim 1 and are rejected on the same basis.

C. As per new claim 35, InsureMarket discloses the method of claim.

InsureMarket fails to expressly teach “providing authorization levels based upon account numbers associated with the plurality of insurance companies, such that said authorization levels provide the agent with various of at least one of access and editing capabilities” per se, since it appears that InsureMarket is more directed to receive and compare real-time quotes, obtain information, connect with agents, and purchase policies from the nation's leading insurance carriers. However, this feature is well known in the art, as evidenced by Shavit.

In particular, Shavit discloses providing authorization levels based upon account numbers associated with the plurality of insurance companies, such that said authorization levels provide the agent with various of at least one of access and editing capabilities (Shavit; col. 10, lines 1-44).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Shavit within Insuremarket for the motivation of providing extensive provisions for security because of the sensitivity

of the information stored in the databases (Shavit; col. 9, lines 43-47).

D. As per new claim 36, InsureMarket disclose the method of claim 1.

The obviousness of modifying the teaching of InsureMarket to include the facilitating the electronic creation and distribution of proof of coverage to the location of the customer with at least one of scripted functions and customized information based on requirements from one of the plurality of insurance companies (as taught by Hele) is as addressed above in the rejection of claim 1 and incorporated herein.

E. As per new claim 37, InsureMarket disclose the method of claim 1, wherein the step of providing the insurance rates further comprises providing the insurance rates which include opinions or extra knowledge from the agent related to the insurance companies associated with the insurance rates. (InsureMarket; Agent Insider).

F. As per new claim 38, InsureMarket disclose the method of claim 1.
(InsureMarket; home page)

InsureMarket does not explicitly disclose "providing the insurance rates without identifying the related insurance company providing the insurance rate" per se, since it appears that InsureMarket is more directed to receive and compare real-time quotes, obtain information, connect with agents, and purchase policies from the nation's leading insurance carriers. However, this feature is well

known in the art, as evidenced by Progressive Company
(www.progressive.com).

Examiner considers that it would be obvious to one having ordinary skill in the art at the time of the invention to provide insurance rate information without identifying the related insurance company providing the insurance rate with an option by excluding the insurance company information when the rates submitted to the customer with the motivation of obtaining only rates.

G. As per new claim 39, InsureMarket disclose the method of claim 1.

(InsureMarket; home page)

InsureMarket does not explicitly disclose "providing a quotation analysis report which lists the statistics related to the quotes requested" per se, since it appears that InsureMarket is more directed to provide rates for insurance products and services. However, this feature is well known in the art, as evidenced by Progressive Company (www.progressive.com).

In particular, Progressive Company discloses providing a quotation analysis report, which lists the statistics related to the quotes requested (Progressive home page; rate comparisons)

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as

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disclosed by Progressive within InsureMarket for the motivation of making shopping easier for the customer (Progressive home page).

H. As per new claim 40, InsureMarket disclose the method of claim 1.

(InsureMarket; home page)

InsureMarket does not explicitly disclose "receiving claims information from policyholders which is automatically transmitted to claims adjusters for processing" per se, since it appears that InsureMarket is more directed to provide rates for insurance products and services and underwriting insurance. However, this feature is well known in the art, as evidenced by Progressive Company (www.progressive.com).

In particular, Progressive Company discloses receiving claims information from policyholders which is automatically transmitted to claims adjusters for processing (Progressive home page; rate comparisons)

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Progressive within InsureMarket for the motivation of making shopping easier for the customer (Progressive home page).

2. Claims 2-14, 16-22, 24-25 and 27-34 have not been amended, and Applicant does not appear to argue the separate patentability of these claims. As such, claims 2-14, 16-22, 24-25 and 27-34 are rejected for the same reasons given in the previous

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Office Action (page number 4-10), and incorporated herein. Therefore claims 4-5, 8-9, 17-18 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over InsureMarket, Shavit, Hele, Progressive and Amexinsurance as applied to claims 1, 15, 25 above, and further in view of Freedman (U.S. Publication no. 2002/0002475).

Response to Argument

2. Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The cited but not applied prior art teaches "Electronic accident estimating system" 5,128,859 A, "Method and apparatus for processing automobile repair data and statistics" 2002/0007289, "Sales method, sales system, sales processing apparatus, and terminal apparatus" 2002/0032615, "Insurance method" 2002/0077866, "Insurance method" 200/0135396, "Sales method and system for selling tangible and intangible products" 6,938,006 B2.

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

6. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dilek B. Cobanoglu whose telephone number is 571-272-8295. The examiner can normally be reached on 8-4:30.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

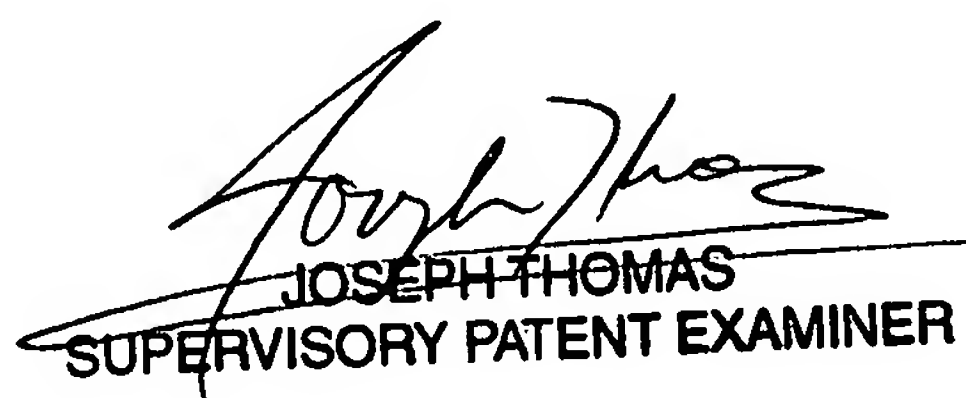
9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DBC

DBC

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05/11/2006



JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER